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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,475	09/28/2000	Robert E. Coye	3493.85418	8516
26652	7590	02/07/2006	EXAMINER	
AT&T CORP.			VO, CLIFF N	
P.O. BOX 4110			ART UNIT	PAPER NUMBER
MIDDLETOWN, NJ 07748			2676	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,475

Applicant(s)

COYE, ROBERT E.

Examiner

CLIFF N. VO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Amendment filed October 17, 2002 which has been entered into the record of file.

Information Disclosure Statement

2. The IDS paper filed September 17, 2004 has been received and placed in the record of file.

Claim Rejections - 35 USC § 112

3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per independent claim 1 (line 11), the term "the desired dot anchor" lacks clear antecedent basis.

Claims 2-5 depend on claim 1, they are rejected with the same reason as set forth in above.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Gagne et al (U.S. Patent No. 6,011,562).

As per independent claims 1 and 6, Gagne et al teach a method and system operative to facilitate interactive graphical user interface animation by a user (col.1, lines 11-15) comprising a central processing unit coupled to a system bus (col.4, lines 17-29), a memory unit coupled to the system bus and having loaded therein an operating system, application programs and computer executable instructions (col.4, lines 17-46) for inserting a desired image onto a first window (Fig.8, i.e., "upper right corner", col.11, lines 54-60), a step of inserting anchors onto a second window by, for each anchor, selecting a desired pose from a plurality of predetermined poses (Figs.8-9, **228**, col.12, lines 14-31, i.e., each selected anchor located in the window 228 by selecting a desired pose from a plurality of poses (Smile, Grimace, Frown, Run, Stand, Crouch, Fall, ...) located in the upper left section of 200), a step, upon a cursor being dragged over the second window to a desired anchor, of additively applying characteristics for the desired anchor to the desired image based on a proximity of the cursor to the desired dot anchor (Figs.8-9, col.9, lines 45-55; col.12, lines 1-21, i.e., the characteristics for the desired Action, "anchor", located in the section 228, "second window", being applied according to the resizing Action by means of dragging of the

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mouse cursor on that anchor), a display unit coupled to the system bus (Fig.1, 16), a cursor control unit arranged to provide signals to control movement of a cursor on the display screen (col.4, lines 22-25) and the system bus for linking the central processing unit, the display unit, the memory unit and the cursor control unit (col.4, lines 14-44).

As per dependent claims 2 and 7, Gagne et al further teach wherein the characteristics for the anchors are at least one of facial expressions, poses and camera positions (col.12, lines 14-17, i.e., "facial expressions").

As per dependent claims 3 and 8, Gagne et al further teach wherein the electronic display system is a computer display system (col.4, lines 14-29).

As per dependent claims 4 and 9, Gagne et al further teach wherein inserting anchors further includes combining a plurality of desired anchors to form a compound anchor (col.5, lines 38-42).

As per dependent claims 5 and 10, Gagne et al further teach wherein a palette in a third window shown on the display unit is used for selecting a desired image to be inserted onto the first window (Fig.8, "upper left window", col.11, line 67 through col.12, line 4, i.e., Action/List Explorer component 224 would have inherently included a plurality of images for the user to select besides the Fighter in this case).

Claims 11-14 are similar to claims 1-2 and 4-5, respectively, Gagne et al further teach a computer readable medium having stored computer instructions therein for performing steps as cited in claims 11-14 at col.4, lines 26-34 and col.11, lines 61-64.

Due to the similarity of claim 15 to claim 1, it is rejected under s similar rationale.

As per dependent claims 16-17, Gagne et al further teach wherein the positions of the plurality of anchors in the control window are set by the user using the pointer (col.12, lines 14-31).

As per dependent claim 18, Gagne et al further teach wherein each target has a predetermined area of influence that is used to determine, based on a position of the pointer, the displacement to be applied to the object (col.8, lines 12-26).

As per dependent claim 19, Gagne et al further teach the features as now claimed at col.10, line 51 through col.11, line 20.

As per dependent claims 20-21, Gagne et al further teach wherein each redrawing/updating of the base state of the object is recorded to provide an animation path which is editable (col.12, lines 32-60).

As per dependent claim 22, Gagne et al further teach wherein multiple anchors, i.e., actions, with individual weightings are applied simultaneously (Figs.8-9, 228; col.11, lines 12-34).

Due to the similar to claims 23-30 to claims 15-22, they are rejected under a similar rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLIFF N. VO whose telephone number is 571-272-7651. The examiner can normally be reached on 2nd Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 571-272-7778. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLIFF N VO
Examiner
Art Unit 2676



MATTHEW C. BELLA
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